

DISTRICT ADVISORY BOARD MINUTES
DISTRICT I
CORRECTED 10/2/2000

September 18, 2000
7:00 p.m.
Atwater Community Center, 2755 E. 19th

Members Present

Council Member Rogers
Carl Brewer
Patrice Dolenz
David Franks
Kenneth Hemmen
Carrie Jones
Lori Lawrence*
Debby Moore
Sharon Myers
Steve Roberts*
Marcia Traylor
Lois Tully-Gerber
Dee Wright

Members Absent

Edith Knox*
Rev. Lincoln Montgomery*
Billy Wilson
Willard Walker*
Ken Woodard*

Guest List

Gene Rankin, 6307 E Brookview Ct.
Pat Greenway, 2016 N. Amidon, Make-a-Wish Foundation
Martin Platt, 3900 N. Woodlawn, #26 Maverick
Staci Warner, 350 N. Market, Salvation Army
Fran Lovell, 7212 Bainbridge
Bob Causts, 7206 Bainbridge Rd
Scott Matthews, 3745 Whispering Brook Ct.
Dr. Nixon, 2916 Menlo
Officer Jeff Andres, WPD, 455 N. Main
Officer B. R. Sigman, WPD, 455 N. Main
T. Ryan, 6130 Brookview
Mike Corns, WFD
Laura Spradlin, 3248 N. Bayberry
Joe Haudashelt, 7216 Bainbridge
Cecil Kellenburger, 7211 Bainbridge
Rob Hartman, 303 S. Topeka
Joyce Haudashelt, 7216 Bainbridge
Tom Stybr, 6119 Brookview
Scott Nelson, 3618 Whispering Brook
Brett Kreutzer, 3622 Whispering Brook
Marjorie Gallagher, 7524 E 24th Ct. N.
Karin Anderson, 3617 Whispering Brook
Donna Goltry, MAPD, 455 N. Main
Joe Reeder, 3738 Whispering Brook
Beverly Urmev, 2508 Persimmon, Derby, KS
Saretta Celestine, 2621 Cameron
Treatha Foster, 2211 N Kansas
Dorothy Nave, 1802 Looman
Cherrie Nave, 1802 Looman
Michael Suder, 3714 N Whispering Brook
Charles Ebright, 3609 Whispering Brook

*Denotes District Advisory Board Alternates

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ORDER OF BUSINESS

Call to Order

Council Member Rogers, called the meeting to order at 7:05 p.m.

Approval of Minutes

Carl Brewer (Debby Moore) moved that the minutes from the August 7, 2000 DAB Meeting be accepted. The meeting minutes were unanimously accepted.

Approval of Agenda

Sharon Myers requested the issue of the proposed access road at Bainbridge and 21st Street be added to the agenda and (**David Franks**) moved that the September 18, 2000 agenda be accepted with the said addition. The agenda was unanimously accepted. **Council Member Rogers** added the additional topic as item **4. Proposed Access Road**

Public Agenda

Cecil Kellenburger asked **Council Member Rogers** if the *Rails to Trails* project could be addressed at the next DAB meeting. **Council Member Rogers** responded and agreed to address the *Rails to Trails* project at the October 2, 2000 DAB meeting.

Unfinished Business

A DAB member requested to address how the issue of the *Hillside and Lewis Storage Facility* was handled at the City Council meeting. **Council Member Rogers** stated that the appropriate place to address that concern would be at a City Council Meeting, since the issue had already been voted on by the City Council.

Planning Cases

Case No.: CUP2000-00030

Request: Amend DP-203 to change parcel size, access control and permitted uses.

Location: Southwest Corner of Woodlawn and 37th Street North.

See "MAPC Notice of Public Hearing" and "MAPC Staff Report" Attachments

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MAPD staff person **Donna Goltry**, was present to reviewed the MAPC Staff Report for the DAB members and members of the public. Council Member Rogers asked if any members of the DAB had any questions or comments regarding this case.

Steve Roberts, president of Chislom Creek Neighborhood Association, stated that he, nor members of his Neighborhood Association were notified regarding this planning case. **Roberts** also stated that this was the second time within the last few months that planning had failed to notify his Neighborhood Association regarding upcoming planning/zoning changes. **Council Member Rogers** noted this information and assured **Roberts** that he would look into the matter.

Goltry commented that she could only send out information to Neighborhood Associations to which she had the correct mailing information. **Goltry** also stated that she would be willing to meet with Roberts after the DAB meeting to verify she had the correct mailing information for Chilsom Creek Neighborhood Association. (**Marcia Traylor** left the room)

Goltry proceeded with her presentation. **Goltry** focused on a few key points; 1) Restrictions would be the same on both the south and west, 175 feet. 2) Dillon Store requests a lawn and garden center that would operational only 120 days of the calendar year. 3) Dillon Store also requests a fuel outlet store on the west edge. 4) Dillon Store would like two 25 ft. signs rather than the suggested 20 ft. high signs. 5) Number of access points.

Council Member Rogers opened questions to members of the public. Members of the public had several questions and concerns which centered around the applicant's plans management of storm water and water run-off. **Goltry** was unable to respond specifically, to the public's question. **Goltry** did state that the CUP had the same restrictions for Storm Water Management. **Council Member Rogers** told the public that he would find an answer for them via the Neighborhood Assistant. **Council Member Rogers** then turn the floor over to the agent, **Rob Hartman**, of PEC.

Hartman responded to the Storm Water concern stating that the Storm Water pollution plan would go into effect at the time of construction in order to prevent pollution by way of run-off of construction materials; plan actually goes into effect prior to construction.

Members of the public stated that they were also concerned about a Storm Water Pollution Prevention plan once the project was completed. The public elaborated that their concern in particular, was for the storm drain located in the southwest corner which drains into a holding pond at Whispering Brook. An additional concern is that debris from the proposed parking lot, such as gasoline and oil would run-off and contaminate the pond water. Another issue raised

was that of the pond eroding and /or flooding, due to water entering the pond too fast

Council Member Rogers asked the citizens requesting this information to forward their names and addresses to the Neighborhood Assistant after the meeting so she may follow up on the issue.

Hartman commented that the strip mall proposed will house a Dillon Store and two other businesses. Dillon Store would be flanked by two other businesses which have not yet been determined. Dillon Store would be the approximate size of the Dillon Store at Central and Rock Road. Hartman also stated that six to eight foot masonry wall would be constructed along the south boarder. Proposing gas pumps go in along Woodlawn. The only conflict is getting the owners to agree on the number of access points for the site.

Council Member Rogers asked **Goltry** for the City's position on the access points. **Goltry** stated that the MAPD would like to bring current projects up to the City's current standards, and see only two access points.

DAB members had general comments concerning access points.

1. Alley Paving – boundaries: Washington Ida, Morris and Gilbert

This area has been identified as part of an improvement district. A petition representing 54.7% of the improvement district area has been submitted to the Public Works Department in favor of the project. City staff, **Gene Rath** was on hand to discuss the project. **Rath** stated that the project was a North-South alley, which was approximately 475 feet long. Most of the property belongs to a business, Hephner TV. **Rath** also stated that only one property ownership had signed in favor of the project. The estimated project cost is \$ 75,000.00. This fee would be assessed to properties abutting the alley. The project is proposed to be assessed on a square foot of ownership basis at an estimated rate of \$.55 per square foot. **Rath** reported that two property owners had sent written statements indicating their opposition to the paving. All of the property on the west side of the alley, except two 25 feet lots, are owned by the business requesting the paving.

Council Member Rogers asked if there were any members of the public present to address this issue. There were none. **Council Member Rogers** then asked for DAB comments. **Ken Hemmen** stated that given the location of the request, it seemed appropriate to pave the alley. **Franks** inquired as to who requested the paving. **Rath** responded, by stating that the Hephner

business solicited city staff for the paving.

Deby Moore asked if the frontage of the affected parcels ranged about 100 to 125 feet. **Rath** stated that several of the parcels are 2 lots which were approximately 50 feet wide by 140-150 feet deep. The estimated assessment for a lot that size would be about \$3,855.00. At current bond interest rates, a total assessment of that amount would be approximately \$350 to \$375 per year over 15 years.

Jones asked how many residents did the 54% represent. **Rath** responded that a petition can be considered a majority petition if it is signed by an owner or owners representing over 50% of the ownership area or by a majority of property owners by "head count". In this case, the 54% represented the state law requirement of the area under consideration. The Hephner ownership represents 18.2% of the resident owners. **Rath** also stated that his office had not received any calls regarding this issue.

Council Member Rogers (Carrie Jones) moved to receive the issue and comments.

2. Legislative Request

Council Member Rogers stated that the Government Relations Director for the City of Wichita is soliciting requests for items to be included in the City of Wichita's Legislative Program. **Lori Lawrence** asked if there was a deadline on this project or if it was ongoing. **Council Member Rogers** commented that it is an ongoing project. However, **Mike Taylor**, Government Relations Director, would need recommendations within the next 30 to 60 days to complete the list of items to address for 2001. **Council Member Rogers** asked if the public had any concerns that they wanted the legislature to hear.

Treatha Foster, president of the Northeast Millair Neighborhood Association wanted to know what will happen with the tobacco money from the federal government. **Council Member Rogers** explained that there have been some legal complications with the allocations of the funds. The money has been slated for programs (economic development and education); money will be allocated by the state and federal government. **Jones** commented that \$ 2.7 million has been allocated for programs across the state – *Smart Start Program* with the United Way.

Foster stated that the State was supposed to provide funding for children's summer work programs. **Council Member Rogers** stated that State programs are usually federally funded.

Jones and **Moore** commented that the *Summer Youth Employment Program* may have been funded in part by CDBG monies. Council Member Rogers Stated that he would find out the amount of money allocated for the *Summer Youth Employment Program*.

3. Charitable Solicitation on Public Rights-of-Way

Charitable solicitation on public rights-of-way appears to be increasing and concern over citizen safety, municipal liability, and public interests. **Council Member Rogers** asked if DAB members had any comments. There were none. **Council Member Rogers** opened the floor for public comment. Representatives from the Muscular Dystrophy Association, Salvation Army and Make-A-Wish Foundation all made presentations stating how each of the organizations are severely impacted when they are not allowed to do the boot block. The organizations recommended and supported a permit system in making solicitations on public Rights of Way. **Council Member Rogers** asked if the DAB members had any other comments. **Moore** responded by stating that any time someone leaves the curb it causes chaos; personally knows of an accident that caused \$17,000 of damage due to a boot block campaign.

4. Proposed Access Road

Council Member Rogers turned meeting over to **Myers** to give an overview of the situation. See attachment form "Comotara Homeowners Association". **Myers** stated that she was now speaking as the president of Comotara Homeowners Association and not a DAB member.

Two of the three proposals from the Public Works Department effect the Comotara residents. The other proposal effects the Sycamore Village residents. The position to reject the access road reflects the home owners that live on Bainbridge. One homeowner has taken a poll and majority of Bainbridge residents are not in favor of access road at Bainbridge and 21st Street. Comotara Homeowners are against the proposed access road at Bainbridge and 21st Street. **Myers** requests that DAB I not recommend the access road. **Myers** noted members of Sycamore Village were present and desired to make comments regarding this issue. **Bob Collins** requested that the project be abandoned. Several other residents of Sycamore Village made comments as to why they opposed the proposed access road at Bainbridge.

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Comments included the following issues: 1) Children's safety in trying to access the swimming pool and tennis courts; 2) Increased trash; 3) No way to control speeding vehicles through the neighborhood. **Saretta Celestine**, a board member of the Sycamore and Waterford Homeowners Associations, stated that neither association was formally notified by the City. **Celestine** also stated that both associations were against the proposed access road for the reasons that had already been mentioned.

Council Member Rogers asked if there were additional comments from the DAB members. Jones stated that previous DAB recommendation was to have City work with homeowners associations to work out a solution. **Myers** mentioned that City seemed to have changed voice at each DAB meeting. During a District II meeting access road would only have right turns in and out. At the DAB I meeting left turns were incorporated into proposals. **Council Member Rogers** stated he would check on this issue and will coordinate information distribution with Neighborhood Assistant so that DAB members and public present will be notified. **Brewer** commented that there was a lot of information that had not been included; **Council Member Rogers** needed to be given an opportunity to find out what is going on. **Brewer (Franks)** moved to table proposed access road on Bainbridge until further information had been obtained. Motion passed 7-0. **Council Member Rogers** mentioned that this issue would not appear before the City Council prior to him researching the matter.

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Board Agenda

No items were submitted.

General Comments/Announcements

No items were submitted.

Being no further business, **Council Member Rogers (Brewer)**, moved to adjourn the meeting at 9:14 p.m.

Submitted By,

Heidi Framer-Drew
Neighborhood Assistant,
Council District I